

Town of Sandwich  
Annual Town Meeting

# WARRANT

Monday, May 3, 2021

7:00 p.m. – Sandwich High School



**BOARD OF SELECTMEN**

Michael J. Miller, Chair  
Robert J. George, Vice-Chair  
Shane T. Hctor  
Charles M. Holden  
David J. Sampson

**MODERATOR**

Garry N. Blank

**FINANCE COMMITTEE**

Robert Guerin, Chair  
Nancy Crossman, Vice-Chair  
Matthew D. Anderson  
Edward Collupy  
James McCormick  
Jeremy Shea  
Mark I. Snyder  
Laura B. Wing



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**TOWN OF SANDWICH  
2021 ANNUAL TOWN MEETING  
May 3, 2021**

**Warrant**

Barnstable, ss.

To the Constables of the Town of Sandwich, in the County of Barnstable,

**GREETINGS:**

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Sandwich qualified to vote in elections and Town affairs to meet at the Sandwich High School, 365 Quaker Meetinghouse Road, in East Sandwich on

**Monday, May 3, 2021, at 7:00 p.m.,**

then and there to act on the following articles, and for election on

**Thursday, May 6, 2021, at 10:00 a.m. and close at 6:00 p.m.**

Those residing within the area of Precincts 1 and 2 meet at the Henry T. Wing School, 33 Water Street, Sandwich. Those residing within the area of Precincts 3 and 4 meet at the Oak Ridge School, 260 Quaker Meetinghouse Road, East Sandwich. Those residing within the area of Precincts 5 and 6 meet at the Forestdale School, 151 Route 130, Forestdale.

**ARTICLE 1**

To see if the Town will vote to hear the reports of all Town Officers and Committees and to act thereon, or take any other action relative thereto.

**Recommended by the Board of Selectmen.**

**ARTICLE 2**

To see if the Town will vote to hear the report of the Finance Committee and to see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$82,431,491.00, or any other amount, to defray Town expenses for the Fiscal Year July 1, 2021 to June 30, 2022 as itemized below in the third column entitled FY'22 Recommendation, or take any other action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee.**

## **Fiscal Year 2022 Finance Committee Budget Message:**

Consistent with recent budget messages, we can again opine that our town's financial condition remains sound, thanks to careful planning and prudent fiscal management. Town boards and committees continue to regularly present Town Meeting reasonable spending plans that provide for the education, public safety, public works and other municipal services that we residents expect and value, while modestly enhancing our reserves and slowly addressing prioritized capital projects. Borrowing continues to be done responsibly to support capital needs and maintain infrastructure. Evidence of our good fiscal stewardship includes commentary from the ratings agency Standard & Poor's ("S&P") who recently described the town's fiscal management as "strong, with good financial policies and practices."

Our municipal budget reflects careful, measured spending – increasing modestly over the previous year. It's accurate to say that we take a very conservative approach to budgeting. We were proactive in reducing expenses wherever it was prudent and reasonable to do so and we postponed many smaller capital projects. We were also very cautious in our revenue estimates. Overall, the town's financial picture is good and our budgeting practices very reasonable.

The process of creating a spending plan with limited funds is hard work. It is always a challenge to build a budget that enables our schools, public safety and municipal services departments to continue to provide quality services within the confines of available resources. Our Town Manager, the Assistant Town Manager, Finance Director, our Superintendent of Schools, department heads, and various elected and appointed boards and committees, work hard to create our budget. Their jobs are difficult and often times thankless. The Finance Committee appreciates their hard work, energy and effort. The Finance Committee works diligently to provide meaningful, specific and actionable financial advice and recommendations to the School Committee, Board of Selectmen, Town staff and most importantly, to you the taxpayers and voters of Sandwich. Finance Committee members take their work very seriously. We work hard to deliver a complete, fair and reasonable assessment of the Town's financial plan, current budget and longer-term fiscal stewardship. We are grateful for the opportunity and honor that we have to serve you our neighbors and fellow taxpayers.

Respectfully submitted,

Matthew Anderson  
Ed Collupy  
Nancy Crossman  
Bob Guerin  
James McCormick  
Jeremy Shea  
Mark Snyder  
Laura Wing

## FY'22 GENERAL FUND BUDGET TOTALS

No.	Department	FY'20 Appropriation	FY'21 Appropriation	FY'22 Recommendation
114	Moderator	450	450	450
123	Selectmen/Manager	529,875	523,830	487,401
	Personnel Expenses	500,000	300,000	338,973
131	Finance Committee	3,400	3,400	3,400
135	Accounting	222,961	187,865	195,491
141	Assessing	394,166	370,249	392,599
145	Treasurer	232,727	267,922	271,194
146	Tax Collector	212,154	220,987	228,060
147	Tax Title	35,000	35,000	35,000
151	Legal	300,000	300,000	300,000
152	Human Resources	179,354	186,413	196,878
161	Town Clerk	192,156	202,590	209,194
162	Elect. & Registration	49,750	75,750	48,000
171	Natural Resources	303,997	315,118	313,356
175	Planning & Development	231,213	239,008	262,703
190	Facilities Management	642,652	723,288	747,325
195	Town Reports	11,000	12,500	12,500
196	Bind Records	7,000	7,000	7,000
197	Info. Technology	663,873	699,430	708,152
	<b>Total 100s</b>	<b>4,711,728</b>	<b>4,645,800</b>	<b>4,757,676</b>
210	Police Department	4,558,510	4,782,241	4,923,555
220	Fire Department	3,679,534	3,798,102	3,925,753
241	Inspections	291,605	302,746	314,226
244	Sealer of Weights & Measures	200	14,000	14,350
291	Emergency Management	17,500	22,500	22,500
294	Forest Warden	1,500	1,500	1,500
297	Bourne Shellfish	4,000	4,000	4,000
299	Greenhead Fly	2,500	2,500	2,500
	<b>Total 200s</b>	<b>8,555,349</b>	<b>8,927,589</b>	<b>9,208,384</b>
300	School Department	34,132,914	35,144,706	35,984,494
313	UCCRVTS	2,161,680	2,135,468	2,433,216
	<b>Total 300s</b>	<b>36,294,594</b>	<b>37,280,174</b>	<b>38,417,710</b>
410	DPW - Engineering	227,086	279,322	289,071
420	DPW	1,825,761	1,874,438	1,990,283
421	Snow & Ice	400,000	400,000	400,000
424	Streetlights	25,000	20,000	20,000
	<b>Total 400s</b>	<b>2,477,847</b>	<b>2,573,760</b>	<b>2,699,354</b>

No.	Department	FY'20 Appropriation	FY'21 Appropriation	FY'22 Recommendation
510	Health Department	214,691	227,483	237,259
522	Nursing Department	165,829	169,905	178,254
540	Social Services	35,000	35,000	35,000
541	COA	231,800	238,462	248,229
543	Veterans	88,320	103,500	105,000
<b>Total 500s</b>		735,640	774,350	803,742
610	Library	991,595	1,005,907	1,031,580
630	Recreation	229,684	252,602	251,955
650	DPW - Parks	25,850	30,850	30,850
671	Hoxie / Grist Mill	53,500	3,500	3,500
693	Memorial Day	1,200	1,200	1,200
694	Historic District	14,800	15,550	15,550
<b>Total 600s</b>		1,316,629	1,309,609	1,334,635
<b>Operating Budget Subtotal:</b>		54,091,787	55,536,282	57,221,501
135	Sanitation, Marina & SHGC Indirect Costs Transfers			80,000
171	Waterways Fund Transfer			7,500
220	Ambulance Fund Transfer			1,750,000
630	Beach & Recreation Account Transfers (incl. Sandy Neck)			299,458
650	Cemetery Trust Fund Transfer			35,000
671	Hoxie House / Grist Mill Transfer			14,000
<b>Inter-Fund Transfers Subtotal:</b>				2,185,958
132	Reserve Fund			500,000
710	Short Term Debt			100,000
750	Exempt Debt Outside Proposition 2.5			2,730,529
750	Non-Exempt Debt Inside Proposition 2.5			1,274,880
910	Group Health Insurance			11,500,000
912	Medicare			703,040
940	Property & Liability Insurance			1,343,750
941	Unemployment Account			200,000
950	Retirement Assessment			4,611,333
<b>Other Budget Accounts Subtotal:</b>				23,024,032
<b>FY'22 BUDGET TOTAL:</b>				<b>82,431,491</b>

**ARTICLE 3**

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53F½ to raise and appropriate or transfer from available funds a sum of money, to be expended under the direction of the Board of Selectmen, for the purpose of establishing the FY'22 enterprise fund budgets for the Department of Public Works Sanitation Division, Sandwich Hollows Golf Club, Sandwich Marina – East Boat Basin, and Cable Public Access, in accordance with the following list, or take any other action relative thereto.

<b><u>Enterprise Fund</u></b>	<b><u>Recommended FY'22 Budget</u></b>
Cable Public Access	545,000
Department of Public Works Sanitation Division	1,076,434
Sandwich Hollows Golf Club	1,071,255
Sandwich Marina – East Boat Basin	2,109,371

**Recommended by the Board of Selectmen and Finance Committee.**

**ARTICLE 4**

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53E1/2 and Section 2.11 of the Sandwich Town Bylaws to authorize the spending limits of revolving funds for the following Town departments for FY'22, to be expended under the direction of the Board of Selectmen, in accordance with the following list:

<b>Revolving Account</b>	<b>Expenditure Limit</b>
Recreation Programs	\$525,000
Solar Energy / Town Utilities	\$125,000
Town Hall Meeting Room	\$10,000
Sand Hill School Community Center Expenses	\$10,000
Oak Crest Cove Expenses	\$12,000
Sandwich: A Cape Cod Town Book	\$2,000
Senior & Community Services Programs	\$60,000
School Department Book Fines	\$10,000

or take any other action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee.**

**ARTICLE 5**

To see if the Town will vote to hear the report of the Capital Improvement Planning Committee, and further, to raise and appropriate or transfer from available funds the sum of \$450,000.00, or any other amount, and to transfer and appropriate the sum of \$46,000.00 from the Ambulance Fund, or any other amount, and to transfer and appropriate the sum of \$75,000.00 from the Golf Department Enterprise Fund, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of purchasing and repairing equipment, vehicles, and buildings, and providing related services in accordance with the following list, for a total capital appropriation of \$571,000.00:

<b><u>Capital List</u></b>	<b><u>Amount</u></b>
Police Department – Taser Replacements	16,000
Fire Department – Dive & Rescue Equipment	15,000
DPW – Fuel Depot Upgrade	15,000
Golf Department – Repairs & Improvements	75,000
Facilities Department – Town Building Repairs/Improvements	300,000
School Department – School Building Repairs/Improvements	150,000
<b>Capital List Total</b>	<b>571,000</b>

<b><u>Transfer Funding Sources</u></b>	<b><u>Amount</u></b>
Ambulance Fund	46,000
Golf Department Enterprise Fund	75,000
<b>Capital Offset Total</b>	<b>121,000</b>

or take any other action relative thereto.

**Recommended by the Board of Selectmen, Finance Committee, and Capital Improvement Planning Committee.**

**ARTICLE 6**

To see if the Town will vote to transfer and appropriate \$1,000,000.00, or any other amount, from the Water Infrastructure Investment Fund, to be expended under the direction of the Board of Selectmen, for the purpose of further implementing the Town’s Comprehensive Water Resources Management Plan as it relates to wastewater infrastructure and drainage improvement projects, or take any other action relative thereto.

**Recommended by the Board of Selectmen, Finance Committee, and Capital Improvement Planning Committee.**

**ARTICLE 7**

To see if the Town will vote in accordance with M.G.L. c.40, §5B to raise and appropriate or transfer from available funds a sum of \$650,000.00, or any other amount, to be transferred into the Stabilization Fund, or take any other action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee.**

**ARTICLE 8**

To see if the Town will vote in accordance with M.G.L. c.32B, §20(b) to raise and appropriate or transfer from available funds a sum of \$100,000.00, or any other amount, to be transferred into the Other Post-Employment Benefits Liability Trust Fund, or take any action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee.**

**ARTICLE 9**

To see if the Town will vote to appropriate the sum of money, received or to be received, from the Chapter 90 State Aid to Highways Program for highway construction and/or maintenance on any State approved road during FY'22, or take any other action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee.**

**ARTICLE 10**

To see if the Town will vote to transfer and appropriate the sum of \$19,587.60, or any other amount, to be expended under the direction of the School Committee, from the Sandwich High School cellular antenna lease receipt reserved for appropriation account, under Chapter 154 of the Acts of 2009, for the purpose of the maintenance and improvement of exterior athletic fields and facilities at Sandwich High School, or take any other action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee.**

**ARTICLE 11**

To see if the Town will vote to transfer and appropriate the sum of \$63,445.82, or any other amount, from the beach renourishment receipts reserved for appropriation account, as established at the 2013 Annual Town Meeting under Article 23, to be expended under the direction of the Board of Selectmen, for the purpose of funding future public ocean beach and dune renourishment projects, or take any other action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee.**

## **ARTICLE 12**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$46,238.62, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of funding the FY'22 Sandwich Promotions Fund as established under Chapter 227 of the Acts of 1997, or take any other action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee.**

## **ARTICLE 13**

To see if the Town will vote (1) to authorize the Board of Selectmen to acquire the property by gift, purchase or eminent domain located at 180 Cotuit Road shown on Land Court Plan No. 34769-A filed with the Barnstable Registry District of the Land Court and shown on Tax Assessor's Map 13 as Parcel 44, containing 18.90 acres for purposes of the development of a solar energy project; and further to authorize the Board of Selectmen to lease said property to a solar energy provider to erect, operate and maintain solar energy facilities for a term of up to 45 years, on such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town;

(2) and further to authorize the Board of Selectmen to enter into an agreement between the Town and the owner of said solar facility as authorized herein, for a payment in lieu of taxes ("PILOT") for real and personal property taxes pursuant to G.L. c. 59, §38 (H) (b) and G.L. c. 164, §31 in conjunction with the solar facility to be installed on the above-referenced property, for a term of years co-extensive with the term of the ground lease, and on such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town;

(3) and further to authorize the Board of Selectmen to transfer the care, custody and control of said property subject to the terms and conditions of the ground lease to the Conservation Commission for conservation purposes and to authorize the Conservation Commission to accept the care, custody and control of said property subject to the provisions of the ground lease for solar purposes and for conservation purposes pursuant to G.L. c. 40, § 8C;

(4) and further to transfer the care, custody, management and control of the following parcels of land from the Town Treasurer for the purpose of sale at auction to the Conservation Commission for conservation purposes in perpetuity in accordance with G.L. c.184, §§ 31-33: (a) a certain parcel of land located off Thicket Run Road, shown on Assessor's Map 33 as Parcel 59; (b) a certain parcel of land on Gully Lane shown on Assessor's Map 32 as Parcel 11; and (c) a certain parcel of land on Gully Lane shown on Assessor's Map 32 as Parcel 10; and further to authorize the Board of Selectmen and the Conservation Commission to execute any and all documents necessary or

convenient to accomplish the purpose of this Article, or take any other action relative thereto.

**Recommended by the Board of Selectmen.**

**ARTICLE 14**

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY'22 Community Preservation budget and to appropriate from the Community Preservation Fund FY'22 estimated annual revenues the sum of \$75,000.00, or any other sum, to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for FY'22; and further to reserve for future appropriation a sum of money from the Community Preservation Fund estimated annual revenues for open space, historic resources, and community housing purposes, as well as a sum of money to be placed in the FY'22 Budgeted Reserve for general Community Preservation Act purposes; and further to appropriate from the Community Preservation Fund a sum or sums of money for previously authorized Community Preservation Act debt payments; and further to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation projects or purposes as recommended by the Community Preservation Committee; or take any other action in relation thereto.

**Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.**

**ARTICLE 15**

To see if the Town will vote to raise and appropriate or transfer from available funds under the Community Preservation Act historic resources program the sum of \$136,315.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving and making recommended repairs, renovations, and improvements to the East Sandwich Preparative Meeting of Sandwich Monthly Meeting's 1810 Friends Meetinghouse located at 6 Quaker Road; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; and further, to authorize the Board of Selectmen to enter into a grant agreement with said East Sandwich Preparative Meeting of Sandwich Monthly Meeting, on such terms and conditions as the Board of Selectmen deems appropriate, setting forth the conditions under which such funds may be expended; and to further authorize the Board of Selectmen to accept a historic preservation restriction pursuant to the grant agreement; or take any other action relative thereto.

**Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.**

**ARTICLE 16**

To see if the Town will vote to transfer and appropriate under the Community Preservation Act affordable housing program the sum of \$150,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of supporting Habitat for Humanity of Cape Cod, Inc.'s Sandwich scattered site community housing programs located at 167 Cotuit Road and 1 Nauset Road; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; and further, to authorize the Board of Selectmen to enter into a grant agreement with said Habitat for Humanity of Cape Cod, Inc., on such terms and conditions as the Board of Selectmen deems appropriate, setting forth the conditions under which such funds may be expended; and further to authorize the Board of Selectmen to accept an affordable housing restriction pursuant to the grant agreement; or take any other action relative thereto.

**Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.**

**ARTICLE 17**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, or otherwise, on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, for open space and water protection purposes pursuant to the Community Preservation Act, all or a portion of the fee simple interest or lesser interest in two certain parcels of land off Meiggs-Backus Road shown on Assessor's Map 4 as Parcels 11 and 39, containing approximately 21.6 acres, and further that said land shall be under the care, custody and control of the Conservation Commission, and as funding therefor to transfer and appropriate from the Community Preservation Fund the sum of \$455,000.00, or any other amount; and further to authorize the Board of Selectmen to grant a conservation restriction on said property, pursuant to G.L. c. 44B, sec. 12 and G.L. c. 184, secs. 31-33, and to execute any and all instruments as may be necessary on behalf of the Town to effect said purchase, or take any other action relative thereto.

*(2/3 Vote Required)*

**Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.**

**ARTICLE 18**

To see if the Town will vote to amend the Town of Sandwich Bylaws, Section 6.60, Signs, Part 4 (i), by inserting the words highlighted in red as written below, or take any action relative thereto.

Section 6.60 Signs

Part 4: i) All signs from this date forward, unless excepted herein shall be **made from wood or composite material**, and either painted or carved and painted. Specifically

excluded are temporary Real Estate signs placed at property for sale, rent or lease and temporary Construction Business signs placed by tradesman at the location where work is being performed.

**No Recommendation Required.**

**ARTICLE 19**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws by amending the Table of Contents to add sections that are missing and update new sections, as written below, or take any action relative thereto.

- Table of Contents
- ~~4130. Accessory Dwelling Units (ADU)~~
- ~~4132. Lot Requirements~~
- ~~4133. Square Footage Requirements~~
- ~~4134. Site Requirements~~
- ~~4135. Applicable By laws and Regulations~~
- ~~4136. Principal Owner Requirements~~
- ~~4137. Ownership Requirements~~
- ~~4138. Occupant Requirements~~
- ~~4139. Application Requirements and Procedures~~
- 4131. Purpose and Intent
- 4132. Requirements
- 4133. Use and Dimensional Requirements
- 4134. Monitoring
- 4135. Enforcement
- 4136. Amnesty
- 3490. Compliance with State and Federal Regulations.
- 4330. District Administration
- 4340. Development Regulations
- 4345. Other Regulations
- 4350. Permitting required for Floodplain Overlay District
- 4355. Assurance that all necessary permits are obtained
- 4360. Enforcement
- 4370. Disclaimer of Liability
- 4380. Severability
- 4390. Fill
- 4457. Subdivision Affordability Requirements
- 4500. ~~DELETED ATM 4/98~~ MIXED USE CLUSTER DEVELOPMENT REGULATIONS
- 4501. Objective
- 4502. Applicability
- 4503. Mixed Use Cluster Provisions
- 4504. Residential Restrictions
- 4505. Affordability Restrictions/Regulatory Agreement

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

**ARTICLE 20**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article 1, Section 1260, Performance Bond or Deposit, by deleting the word “shall” and inserting the word “may”, clarifying that a bond may not always be required, as written below, or take any action relative thereto.

1260. A performance bond or deposit of not less than \$12.00 per foot of lot frontage plus \$0.05 per cubic foot of foundation volume ~~shall~~ **may** be required prior to authorization of any new structure or addition if, in either case, involving more than 200 square feet of floor area, as security against possible costs due to erosion or damage within street rights - of-way, or failure to enclose and backfill the foundation within the time period covered by the building permit, or failure to carry out any or all conditions mandated in a special permit granted by the Board of Appeals. Such bonds may also be required by the Building Inspector for site alterations not involving new structures but potentially incurring damage within street rights-of-way. These bonds shall be held by the Town Treasurer until he is notified by the Building Inspector that all on-site work, as required under the building code and conditions of a special permit granted, and all movement of heavy equipment has been completed and any damage repaired.

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

**ARTICLE 21**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article 1, Section 1330, Special Permits, by deleting the words “the twelve (12) months” and inserting the words “three (3) years”, thereby lengthening the time of special permit approval pursuant to M.G.L. c.40A, as written below, or take any action relative thereto.

1330. Special Permits shall normally be granted unless, because of conditions peculiar to the particular case but not generally true for similar permitted uses on other sites in the same district, it appears that nuisance, hazard or congestion will be created, or for other reasons there will be substantial harm to the neighborhood or derogation from the intent of the by-law, so that the stated district objectives will not be satisfied. The Special Permit Granting Authority shall place upon each special permit the condition that failure to comply with the conditions set forth in the special permit will result in termination thereof and that it shall expire upon transfer of ownership, prior to initiation of substantial construction on or occupancy of the site, unless such transfer is authorized in the permit, or if no substantial construction or occupancy takes place within ~~the twelve (12) months~~ **three (3) years** of special permit approval, excluding such time required to pursue or await the determination of an appeal referred to in Section 17 of Chapter 40A. Extenuating circumstances

may be a basis for a six (6) month extension to be granted by the Special Permit Granting Authority. Construction or operations under a building or special permit shall conform to any subsequent amendment of the ordinance or by-law unless the use or construction is commenced within a period of not more than ~~twelve (12) months~~ **three (3) years** after the issuance of the permit and, in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

**ARTICLE 22**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article II, Section 2220, Use Regulation Schedule, Accessory Uses, by deleting “Guest House, accessory to Residential Use” in its entirety, or take any action relative thereto.

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

**ARTICLE 23**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article II, Section 2220, Use Regulation Schedule, Accessory Uses, by allowing Drive-Up and Drive Through Facilities in the B2 zoning district, as written below, or take any action relative thereto.

Drive-Up or Drive-Through, Accessory to Retail Use:

<b>R-1</b>	<b>R-2</b>	<b>VIL</b> (2,3)	<b>BL-1</b> (2,3)	<b>B-2</b>	<b>FLEX</b>	<b>IND</b>	<b>MAR</b> (2,3)	<b>RDG</b>	<b>S</b>	<b>GD</b>
N	N	N	N	YS	N	N	N	N	N	N

USE REGULATION ZONING NOTES:

2. Drive-up and drive-through facilities shall be prohibited, unless in a B2 zoning district where a special permit from the Zoning Board of Appeals is required.

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

**ARTICLE 24**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article II, Section 2600 (g), Intensity of Use Schedule Notes, by deleting the duplicate sentence as written below, or take any action relative thereto.

2600 (g) A special permit may be granted by the Board of Appeals in accordance with Section 4160 for a height greater than the maximum building height for the District. (Amended 1/14/08). ~~A special permit may be granted by the Board of~~

~~Appeals in accordance with Section 4160 for a height greater than the maximum building height for the District. (Amended 1/14/08).~~

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

**ARTICLE 25**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article II, Section 2420, Change, Extension or Alteration, by rewriting the second paragraph to clarify non-conforming regulations, as written below, or take any action relative thereto.

~~Provided, however, that~~ **The Zoning Enforcement Officer may provide a written finding that any** alteration, reconstruction, extension or structural change to a lawfully existing single or two-family residential structure shall not be subject to the special permit requirements of this Section 2420 if the alteration, reconstruction, extension or structural change does not increase the nonconforming nature of the structure **by 30% or more.** ~~(Amended 1/14/08)~~

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

**ARTICLE 26**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article II, Section 2540, Multiple Principal Buildings on the Same Lot, paragraph (c), Affordable Housing, by deleting the sentence to clarify the monitoring agent, as written below, or take any action relative thereto.

c. Affordable Housing. In the BL-1 and B-2 Districts, one dwelling unit may be located within a structure which has a principal non-residential use, but only upon issuance of a special permit by the Zoning Board of Appeals. Additional dwelling units may thereafter be authorized by special permit; however, to be eligible for a special permit for additional dwelling units, a 1:1 ratio of market rate units to affordable units shall be established and maintained. ~~The Board of Appeals shall condition any special permit allowing the affordable units according to the affordability criteria in Section 4138.~~ Upon issuance of a special permit, the applicant shall enter into a monitoring services agreement with the Sandwich Housing Authority (SHA) and shall abide by the rules and regulations of the SHA. In addition, no special permit for more than one such unit shall be issued unless adequate parking is provided; appropriate site provisions have been made for both the residential and non-residential uses; and all of the criteria of Section 1330 have been shown to be satisfied.

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

**ARTICLE 27**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article III, Section 3400, Environmental Controls, by adding a new Section 3490, Compliance with State and Federal Regulations, as worded below, or take any action relative thereto.

3490. Compliance With State and Federal Regulations.

All development activities shall comply with the requirements of section 2.3.6 of the General Permit for Stormwater Discharges from Small Municipal Storm Sewer Systems issued jointly by the U.S. Environmental Protection Agency and the Massachusetts Department of Environmental Protection.

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

**ARTICLE 28**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article IV, Section 4115, By-Right Accessory Apartment, by replacing the first sentence of the Section to clarify the definition of an accessory apartment, and replacing note (g) clarifying driveway regulations, as worded below, or take any action relative thereto.

An accessory apartment (non-rental) is allowed as an accessory use to an owner occupied single-family dwelling in residential zoning districts in accordance with the following requirements. These requirements regulate the use and are not subject to relief through a variance.

g) A minimum of one additional off-street parking space shall be provided, however, the construction of a new separate driveway is prohibited unless authorized by the Director of Public Works or the Town Engineer.

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

**ARTICLE 29**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article IV, Section 4130, Accessory Dwelling Units, by deleting Sections 4130 to 4136 in their entirety and replacing them, and by amending Section 2200, Accessory Uses, footnote 26, and the definition of Accessory Uses, to be written as follows, or take any action relative thereto.

4130. Accessory Dwelling Unit (ADU)

4131. Purpose and Intent of the Accessory Dwelling Unit is to:

a) Broaden the range of housing opportunities for households of all incomes, ages and sizes in order to support a strong, stable and diverse year-round community, a viable healthy local workforce and to prevent the displacement of Sandwich residents.

b) Promote a more economic and energy efficient use of the Town's housing supply while maintaining the appearance and character of the Town's single family neighborhoods.

c) Encourage greater diversity of population with particular attention to young adult citizens and to allow for "aging in place" for our senior citizens.

#### 4132. Requirements

a) An ADU constructed within a single family dwelling, attached to a single family dwelling or as a detached structure on a lot conforming to Section 2600 of the Zoning By-Law shall be permitted as a "By Right" use, provided it meets all requirements of the Town of Sandwich Protective Zoning By-Law. No more than twenty-four (24) "By Right" building Permits for new ADUs shall be granted within a twelve (12) month period, January 1st to December 31st and the number of permits shall be counted according to projects approved.

b) An ADU constructed within a single family dwelling shall be permitted as a by-right use and shall meet all the requirements of the Town of Sandwich Protective Zoning By-Law.

c) A Special Permit from the Planning Board is required in the following instances:

I. The subject property does not meet the minimum requirements set forth in section 2600 of the Zoning Bylaw.

II. An ADU is constructed as a detached accessory structure- not attached to a single family dwelling.

III. The subject property must have a minimum 20,000 s.f.

No more than twenty-four (24) Special Permits shall be granted by the Special Permit Granting Authority (SPGA) for the construction of an ADU within a twelve (12) month period January 1st to December 31st and the number of permits shall be counted according to projects approved.

d) When a Special Permit is required the SPGA shall address at a minimum the Special Permit Criteria outlined in Section 1330 of the Protective Zoning Bylaw.

e) The Building Commissioner shall administer and enforce the provisions of this section unless a Special Permit is required then the Planning Board will be the SPGA.

f) ADUs shall not be eligible for zoning variances. In addition, no variance may be granted which would allow more than one (1) ADU on a lot.

g) The construction of an accessory dwelling unit must be in conformity with the State Building Code, Title V of the State Sanitary Code and lawful under all other provisions of applicable town health, building, zoning and other local laws and regulations.

h) Prior to the issuance of a building permit or Special Permit for an ADU, site plans, floor plans and elevations shall be submitted showing the proposed interior and exterior changes to existing buildings or new building and improvements on a lot associated with a proposed ADU.

#### 4133. Use and Dimensional Requirements:

The following requirements shall apply to all ADUs, whether permitted by right or by special permit from the Planning Board:

a) Only one ADU is permitted for each lot.

b) The ADU shall be a complete, separate housing keeping unit containing both a kitchen and a bath.

c) An ADU shall be clearly subordinate in use, size and design to the principal single family dwelling. An ADU shall be designed so that, to the maximum extent practicable, the appearance of the property on which it is to be located remains that of a single-family residential property and the privacy of abutting properties is maintained, considering the following: building architectural details, roof design, building spacing and orientation, building screening, door and window location, and building materials.

d) The ADU shall contain no more than two bedrooms and contain no more than 900 square feet of habitable space. Once an ADU has been added to a single family dwelling or lot, the accessory dwelling unit shall not be enlarged.

e) At least one (1) off street parking space in addition to that required for the principal single family dwelling is required for each ADU. All parking for ADUs shall be off street. New parking spaces created shall be pervious.

f) An ADU may not be sold or transferred separate and apart from the principal dwelling to which it is an accessory use. The principal dwelling, the ADU and the lot on which they are located shall remain in common or single ownership and shall not be severed in ownership.

g) The principal dwelling or the accessory dwelling unit must be the primary residence of the owner, and the remaining dwelling must be leased for a minimum of a twelve (12) consecutive months and a maximum of three (3) consecutive years, with no subletting to occur, and is prohibited from any use as rental units on a monthly, weekly or daily basis including, but not limited to, seasonal rental and rental through vacation rental services and websites. An ADU shall not be used for boarding and lodging, or other commercial use. No occupancy of the ADU is permitted other than as the primary residence of the owner or by lease for a minimum of twelve (12) consecutive months and other conditions as stated.

h) A detached ADU requires a minimum lot size of 20,000 s.f.

i) An ADU and principal dwelling shall share common septic/ wastewater and water facilities.

j) An ADU shall have an occupancy of not more than two (2) persons per bedroom.

#### 4134. Monitoring:

Prior to the issuance of a building permit or a Special Permit, a certificate in the form of a notarized affidavit to verify that the owner is or shall be in residence in one of the units shall be submitted in the case of a By Right unit to the Building Commissioner or in the case of a Special Permit to the SPGA. Any change or transfer in ownership will require an updated certificate.

#### 4135. Enforcement:

Failure to comply with the provisions of this Bylaw shall be punishable by fine. Any person, firm or corporation violating any section or provision of this Bylaw shall be fined one hundred (100) dollars for each offense. Each day that such offense continues shall constitute a separate offense. If the Building Commissioner determines that the owner has repeatedly failed to comply with this bylaw, he/she may revoke the occupancy permit for the ADU. In such an event, the Building Commissioner may require that the elements that make the accessory dwelling unit a separate dwelling unit be removed from the property within 90 days of said determination, with the owner to comply with all requirements of the State Building Code and Sandwich Protective Zoning By-Law. Any such determination may be appealed to the Zoning Board of Appeals.

#### 4136. Amnesty:

In an effort to meet local housing needs, the owner of real property containing an accessory dwelling unit, as described in this Section may apply for a Special Permit to legally continue the use as an accessory dwelling unit, provided that the unit is no larger than 900 s.f. or thirty percent of the gross square footage of the principle

dwelling, whichever is larger. The amnesty provisions of this bylaw shall apply to unlawful accessory dwelling units in existence prior to December 31, 2020.

**2200 Use Regulations – Accessory Dwelling Unit (ADU)**

<b>R-1</b>	<b>R-2</b>	<b>VIL</b>	<b>BL-1</b>	<b>B-2</b>	<b>FLEX</b>	<b>IND</b>	<b>MAR</b>	<b>RD</b>	<b>S</b>	<b>GD</b>
		(2,3)	(2,3)				(2,3)			
Y(26)	Y(26)	Y(26)	Y(26)	Y(26)	N	N	N	Y(26)	Y(26)	N

26. A detached ADU on a non-conforming lot requires a minimum lot size of 20,000 s.f. and a special permit from the Planning Board. All units shall satisfy the requirements of Section 4130.

**Definitions:**

~~ACCESSORY DWELLING UNIT (ADU) – A dwelling unit with the purpose of promoting affordable housing in the Town for year-round residents that is no larger than 1,000 square feet in size or thirty percent of the gross square footage of a principal dwelling, whichever is larger, incorporated into a lawful principal single-family dwelling or attached to a single-family dwelling or within a detached building accessory to and on the same lot as a lawful principal single-family dwelling.~~

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

**ARTICLE 30**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article IV, Section 4300, Flood Plain District, by deleting Sections 4300 to 4360 in their entirety and replacing them, to be written as follows, or take any action relative thereto.

4300. Flood Plain District. Purpose

The purpose of the Floodplain Protection Overlay District is to:

1. Ensure public safety through reducing the threats to life and personal injury.
2. Eliminate new hazards to emergency response officials.
3. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding.
4. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding.
5. Eliminate costs associated with the response and cleanup of flooding conditions.

6. Reduce damage to public and private property resulting from flooding waters.

4310. Creation.

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within Sandwich designated as Zone A, AE, AH, AO, A99, V, or VE on the Barnstable County Flood Insurance Rate Map (FIRM) dated July 16, 2014 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report dated July 6, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission.

Any Use, Structure or Development permitted in the portions of the Districts so overlaid shall be permitted subject to the provisions of this District, as well as those of the Massachusetts State Building Code, 780 CMR and the State Wetland Protection Act, G.L. c. 131, § 40 and its implementing Regulations, 310 CMR 10.00 et seq. dealing with construction in floodplains. The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

4320. Definitions.

For the purposes of this section of the zoning bylaw the following definitions shall be applied:

**BASE FLOOD** - The flood having one percent chance of being equaled or exceeded in any given year.

**COASTAL HIGH HAZARD AREA** – An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity waves, as designated on the FIRM as Zone V and VE.

**DEVELOPMENT** - Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

**DISTRICT** - Flood Plain District.

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)** - The agency which administers the National Flood Insurance Program and provides nationwide flood

hazard area mapping and regulatory standards for development in flood hazard areas.

**FLOODWAY** - The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Massachusetts Code, Chapter 2, Section 202]

**FLOOD INSURANCE RATE MAP (FIRM)** - means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY (FIS)** - An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e. mudflow) and/or flood related erosion hazards.

**FUNCTIONALLY DEPENDENT USE** - A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

**HIGHEST ADJACENT GRADE** - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

**HISTORIC STRUCTURE** - Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

a. By an approved state program as determined by the Secretary of the Interior or

b. Directly by the Secretary of the Interior in states without approved programs.

[US Code of Federal Regulations, Title 44, Part 59]

**NEW CONSTRUCTION** - Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction. New construction includes work determined by the Building Commissioner to be substantial improvement. [Referenced Standard ASCE 24-14].

**MANUFACTURED HOME** - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**RECREATIONAL VEHICLE** - A vehicle which is:

1. Built on a single chassis;

2. 400 square feet or less when measured at the largest horizontal projection;

3. Designed to be self-propelled or permanently towable by a light duty truck; and

4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

**ONE-HUNDRED-YEAR FLOOD** - See Base Flood.

**REGULATORY FLOODWAY** - see FLOODWAY.

**SPECIAL FLOOD HAZARD AREA** - The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Massachusetts Code, Chapter 2, Section 202]

**START OF CONSTRUCTION** - The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other

improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

**STRUCTURE** - For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

**SUBSTANTIAL IMPROVEMENT** - Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged, before the damage occurred. "Substantial improvement" shall be deemed to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

**SUBSTANTIAL REPAIR OF A FOUNDATION** - When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

**VARIANCE** - A grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

**VIOLATION** - The failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in US Code of Federal Regulations, Title 44, Part 60, §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to

be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

ZONE A - The 100-year flood area where the base flood elevation (BFE) has not been determined. To determine the BFE, use the best available federal, state, local or other data.

ZONE AE - The 100-year flood area where the base flood elevation has been determined.

ZONE AH - Areas of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) feet, and with water surface elevations determined

ZONE AO – An Area of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) ft. (Velocity flow may be evident; such flooding is characterized by ponding or sheet flow.)

ZONE A99 – An area of special flood hazard where enough progress has been made on a protective system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. (Flood elevations may not be determined.)

ZONE X - Areas of minimal or moderate flood hazards or areas of future-conditions flood hazard.

ZONE V - An area of special flood hazards without water surface elevations determined, and with velocity, that is inundated by tidal floods (coastal high hazard area)

ZONE VE (for new and revised maps) – An Area of special flood hazards, with water surface elevations determined and with velocity, that is inundated by tidal floods (coastal high hazard area)

4330. District Administration.

1. Floodplain Administrator - The Town of Sandwich hereby designates the position of Building Commissioner, or their designee, to be the official Floodplain Administrator for the Town.

2. Requirement to submit new technical data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

FEMA Region I Risk Analysis Branch Chief  
99 High St., 6th floor, Boston, MA 02110

And copy of notification to:

Massachusetts NFIP State Coordinator  
MA Dept. of Conservation & Recreation, 251 Causeway Street, Boston, MA  
02114

#### 4340. Development Regulations.

The following requirements apply in the Floodplain District:

1. In Zones VE all new construction shall be located landward of the reach of mean high tide.

2. The placement of mobile homes in the Floodplain District is prohibited.

3. Reference to Existing Regulations. The Floodplain District is established as an Overlay District to all other Districts. All development in the District, including structural and non-structural activities, whether permitted by right or by Special Permit must be in full compliance with G. L. c. 131, §40 of the Massachusetts General Laws and with the following:

- Section of the Massachusetts State Building Code, 780 CMR which addresses floodplain and coastal high hazard;
- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
- Minimum Requirements for Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5)

4. Unnumbered A Zones. In A Zones, in the absence of FEMA Base Flood Elevation (BFE) data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

5. Floodway encroachment. In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one-hundred-year flood. Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

6. Watercourse alterations or relocations in riverine areas. In a riverine situation, the Floodplain Administrator shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream
- Bordering States, if affected
- NFIP State Coordinator  
Massachusetts Department of Conservation and Recreation  
251 Causeway Street, 8th floor  
Boston, MA 02114
- NFIP Program Specialist  
Federal Emergency Management Agency, Region I  
99 High Street, 6th Floor  
Boston, MA 02110

7. Protection of dunes. Alteration of sand dunes is prohibited when the alteration would increase potential flood damage.

#### 4345. Other Regulations.

1. All subdivision and development proposals in the floodplain overlay district shall be reviewed to assure that:

- a. Such proposals minimize flood damage;
- b. All public utilities and facilities are located and constructed to minimize or eliminate flood damage; and

- c. Adequate drainage is provided to reduce exposure to flood hazards.
2. Base flood elevation data for subdivision proposals. When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.
3. AO and AH zones drainage requirements. Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
4. Recreational vehicles. In A1-30, AH, AE Zones, V1-30, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.
5. Please refer to the Floodplain Manual for addition certifications and regulations required.

4350. Permitting required for Floodplain Overlay District.

1. Building Permits.

The following uses are permitted by right since they create a minimal risk of damage due to flooding and will not constitute obstructions to flood flow, provided that they are permitted in the underlying district and that they do not require structures, fill or storage of materials or equipment:

- a. Agricultural uses such as farming, grazing, truck farming, and horticulture.
- b. Forestry and nursery uses.
- c. Outdoor recreational uses, including fishing, boating and play areas.
- d. Conservation of water, plants and wildlife.
- e. Wildlife management areas; foot, bicycle and horse paths.
- f. Temporary nonresidential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.
- g. Buildings lawfully existing prior to the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction.

In the case of minor changes (300 SF or less) to existing buildings, placement of facilities that the Building Commissioner determines are directly associated with an agricultural activity, fences, sheds, drilling, mining, paving or any other minor development that might increase flooding or adversely impact flood risks to other properties the Building Commissioner shall determine if said activity increases flooding or will adversely impact flood risks to other properties and require that a special permit be issued by the Zoning Board of Appeals for such activities.

2. Special Permits. A special permit issued by the Zoning Board of Appeals is required for major construction (greater than 301 SF), including new construction, changes to existing buildings, placement of manufactured homes and large storage facilities. A Special Permit may be granted within the reasonable discretion of the Zoning Board of Appeals and subject to such conditions and safeguards as the Zoning Board of Appeals deems necessary to fulfill the purposes of this Section, the requirements of this overlay District may be varied. When reviewing such Special Permit applications, the Board shall consider:

- a. The susceptibility of the proposed facility and the contents to flood damage and the effect of such damage upon the site and surrounding property.
- b. The availability of alternative locations for the proposed use which are not subject to flooding or erosion.
- c. The necessity to the facility of a waterfront location, where applicable.
- d. A determination that the relief requested is the minimum necessary

3. Commonwealth of Massachusetts Variances to building code. The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance and will maintain this record in the community's files.

The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

4. Sandwich Zoning Bylaw Variances. A variance from these floodplain bylaws must meet the requirements set out in Section 1321 and in addition, may only be granted if:

- a.) Good and sufficient cause and exceptional non-financial hardship exist;
- b.) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and
- c.) the variance is the minimum action necessary to afford relief.

4355. Assurance that all necessary permits are obtained.

Prior to the issuance of a Zoning Permit the property owner or his/her representative must certify that all local, state and federal permits necessary in order to carry out the proposed development in the floodplain overlay district have been obtained including but not limited to (identify each item as approved or not applicable):

- Order of Conditions pursuant to the Town of Sandwich General Bylaws,
- Order of Conditions pursuant to G.L. c. 131, § 40
- Massachusetts Department of Environment Protection Chapter 91 License
- Select Board Public Access License
- 401 Water Quality Certificate issued by Massachusetts Department of Environment Protection
- Board of Health Disposal System Construction Permit
- Board of Health Well Permit
- U.S. Army Corps Programmatic General Permit
- U.S. Army Corps Individual Permit
- Commonwealth of Massachusetts Chapter 253 Dam Safety Permit

4360. Enforcement.

Failure to comply with the regulations set forth herein will authorize the Building Commissioner to exercise enforcement under section 1200.

4370. Disclaimer of liability.

The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection.

4380. Severability.

If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

4390. No fill may be placed on any lot, any portion of which is at or below the base flood elevation, without a special permit.

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

### **ARTICLE 31**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article IV, Section 4710, Cottage Colonies, by adding a rental option to the conversion of non-conforming cottage colonies, as written below, or take any action relative thereto.

4710. Cottage Colonies. Any existing cottage colony may not be converted to single-family dwelling use under separate ownership unless the lots upon which each building is located comply with the minimum requirements for a cluster subdivision and are created as a cluster subdivision under Section 4400. However, a non-conforming cottage colony may be converted to a residential or mixed-use **rental property**, condominium, cooperative or time sharing condominium that is more intensive or frequent than seasonal or intermittent use upon issuance of a Special Permit from the Planning Board and compliance with Section 4740

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

### **ARTICLE 32**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article IV, Section 4740, Procedures, for the conversion of seasonal or intermittent-use structures by adding a rental option, clarifying the inspection regulations, and adding an affordable housing provision, as written below, or take any action relative thereto.

4740. Procedures. The Planning Board shall act upon conversion of any existing cottage colony into a residential or mixed-use **rental property**, condominium, cooperative or time sharing condominium application as an application for special permit as set forth in Section 1330 through 1360 and, where applicable, Section 2400. The conversion of any existing cottage colony into a residential or mixed-use **rental property**, condominium, cooperative or time sharing condominium shall comply with the following additional requirements:

~~6. Completion of a full inspection and building code compliance checklist to be conducted by the Town Building Inspector prior to Special Permit approval and issuance of final occupancy certificates. Review and approval by the Sandwich Building Department to ensure compliance with all applicable regulations, as determined by the Building Commissioner.~~

8. Ten (10) percent of total cottages converted must be made affordable and meet the guidelines for a low or moderate income family. For the purpose of this section low income shall be defined as an income less than eighty (80) percent of the area median income, and moderate income shall be defined as an income between eighty (80) and one hundred and twenty (120) percent of the area median income, as determined by the Federal and/or State Census. The affordable units shall meet the requirements necessary to be added to the Subsidized Housing Inventory. All occupants of the affordable units shall be approved by the Sandwich Housing Authority to assure compliance with this by-law.

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

### **ARTICLE 33**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article IV, by adding a new Section 4457 related to an affordable housing provision, as written below, or take any action relative thereto.

4457. This section of the Bylaw applies to any residential subdivision or division of land resulting in ten (10) or more buildable lots. In any development that is subject to the regulations hereunder, ten (10) percent of all dwelling units shall be made affordable and meet the guidelines for a low or moderate income family. For the purpose of this section low income shall be defined as an income less than eighty (80) percent of the area median income, and moderate income shall be defined as an income between eighty (80) and one hundred and twenty (120) percent of the area median income, as determined by the Federal and/or State Census. The affordable units shall meet the requirements necessary to be added to the Subsidized Housing Inventory. The affordable units may be constructed on the locus of the development and sold or rented, or the Planning Board may, in its discretion, approve one (1) or more of the following methods, or any combination thereof, for the provision of affordable units.

1. Off-Site Units: An equivalent number of affordable housing units may be constructed on another site in the Town of Sandwich. All requirements that apply to on-site provision of affordable units shall apply to off-site affordable units. In addition, the location of the off-site units shall be approved by the Planning Board as a part of the Definitive Subdivision approval process.

2. Fee in Lieu of Units: The Planning Board may allow an applicant to make a cash payment to the Town through its Housing Authority for each affordable unit required by these regulations. The cash payment per unit shall be determined by multiplying the most recent published area median income as determined by the United States Department of Housing and Urban Development (“HUD”) (the “Base Income Number”) by the Maximum Resale Price Multiplier. Maximum Resale Price Multiplier is calculated at the initial sale by dividing the Initial Sales Price by the Base Income Number.

The applicant shall submit to the Building Commissioner documentation ensuring the requirements of this section will be met, prior to the issuance of a building permit for any dwelling unit. Specific requirements relative to the location, appearance, and phasing of construction of the affordable units may be imposed as a condition by the Planning Board during the Definitive Subdivision approval process.

*(2/3 Vote Required)*

**Recommended by the Planning Board.**

## **ARTICLE 34**

### **PETITIONERS ARTICLE FOR SANDWICH TOWN MEETING**

#### **Article: Commercial Single-Use Plastic Water Bottle Ban**

To see if the Town will vote to adopt the following as a general by-law and to insert it into the Code of Town of Sandwich, Massachusetts.

#### **Section 1. Sale of Single-use Plastic Water Bottles**

Effective on December 31, 2021, it shall be unlawful to sell non-carbonated, unflavored drinking water in single-use plastic bottles of less than one gallon in the Town of Sandwich. Enforcement of this regulation will begin December 31, 2021.

#### **Section 2. Definitions**

A single-use plastic bottle is a beverage container made from any type of plastic resin.

#### **Section 3. Exemptions**

Sales or distribution of non-carbonated, unflavored drinking water in single-use plastic bottles occurring subsequent to a declaration of emergency (by the Emergency Management Director or other duly authorized Town, County, Commonwealth, or Federal official) affecting the availability and/or quality of drinking water to residents of the Town shall be exempt from this bylaw until seven days after the declaration has ended.

#### **Section 4. Enforcement**

Enforcement of this article shall be the responsibility of the Town Manager or his/her designee. The Town Manager shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate.

Any establishment conducting sales in violation of this article shall be subject to a non-criminal disposition fine as specified in G.L. Chapter 40 § 21D. The following penalties apply:

- First violation: Written warning
- Second violation: \$150 fine
- Third and subsequent violations: \$300 fine

Each day a violation continues constitutes a separate violation, incurring additional fines. Any such fines collected shall be payable to the Town of Sandwich.

All businesses will be routinely inspected until the Town Manager deems the inspection to no longer be required.

**Rationale:**

Single-use plastic bottles impact environmental health, and the health and longevity of other species, who may ingest plastic as food. Ultimately, plastic re-enters the human food chain where the adverse consequences are both known and emerging. Plastics pollute and impact our environment across their lifecycle from production to use to disposal.

Over 1,500 single-use plastic water bottles are used and discarded in the U.S. per second. Elimination of the use of single-use plastic water bottles will have a significant impact on future plastic-bound pollution including the nation's greenhouse gas footprint and is consistent with protection of the natural environment in Sandwich, Barnstable County, our nation and our earth, which we have a common responsibility to protect and steward.

*(Submitted by Petition)*

**No Recommendation Required.**

**ARTICLE 35**

To see if the Town will vote to amend the Town of Sandwich Bylaws.....**IT SHALL BE UNLAWFUL TO HAVE ROOSTERS IN AN R-2 ZONED AREA OF THE TOWN.**

Or take any action relative thereto.

*(Submitted by Petition – 2/3 Vote Required)*

**No Recommendation Required.**

**ARTICLE 36**

To Elect the following Officers:

- One Board of Assessor member for a term of three years;
- One Board of Health member for a term of three years;
- One Board of Selectmen member for a term of three years;
- One Constable for a term of three years;
- One Moderator for a term of three years;
- Three Planning Board members for terms of three years;

One Planning Board member for an unexpired term of one year;  
Three School Committee members for terms of three years;  
Three Trustees to the Sandwich Public Library for terms of three years;  
One Sandwich Housing Authority member for a term of five years;  
One Trustee to the Weston Memorial Fund for a term of three years;

and all other candidates that may appear on the official ballot.

The polls for the election will be open at 10:00 a.m. and close at 6:00 p.m. on said

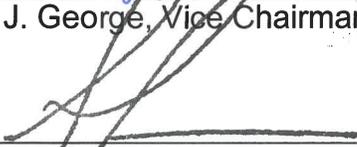
THURSDAY, THE SIXTH DAY OF MAY, 2021.

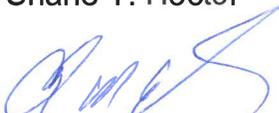
And you are hereby directed to serve this Warrant by posting attested copies thereof, one at the Town Hall, and one at each of the Post Offices in Sandwich, the last posting to be at least fourteen days prior to the time of holding said meeting,

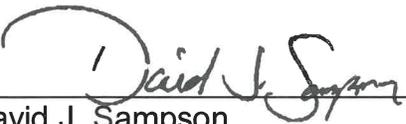
given under our hands this 15th Day of April, 2021.

  
\_\_\_\_\_  
Michael J. Miller, Chairman

  
\_\_\_\_\_  
Robert J. George, Vice Chairman

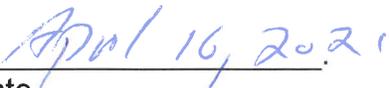
  
\_\_\_\_\_  
Shane T. Hocr

  
\_\_\_\_\_  
Charles M. Holden

  
\_\_\_\_\_  
David J. Sampson

**SANDWICH BOARD OF SELECTMEN**

I hereby certify that I have posted attested copies of this warrant at Sandwich Town Hall, Town Hall Annex, Sandwich Post Office, East Sandwich Post Office and Forestdale Post Office, all located within the Town of Sandwich, on

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Constable

# Reference Material

(**NOTE**: Reference material is provided for informational purposes only.)

## ARTICLE 2 – FY'22 ESTIMATED GENERAL FUND REVENUES & EXPENSES

### REVENUES

<u>FY'22 Tax Levy:</u>		
FY'21 Levy Limit	68,530,415	
2.5% Increase	1,713,260	
Est. New Growth	500,000	
Excess Levy Reserve Est.	-3,000,000	
Overrides / Exclusions	0	
County Assess. Outside 2.5: CCC	195,606	
Exempt Debt: GF Outside Prop. 2.5	2,730,529	70,669,810
 <u>Other Revenue:</u>		
Mass. School Building Authority Funds	0	
State Aid: Discretionary (0.00%)	2,353,090	
State Ch. 70 Aid: School (0.00%)	7,151,788	
Est. Local Receipts	5,000,000	
Free Cash Certification (-STM Capital)	3,377,909	
Overlay Release	0	
Transfer from Stabilization Fund	0	<u>17,882,787</u>
 <b>Total Estimated Revenues</b>		 <b>88,552,597</b>

<b><u>Stabilization Fund &amp; OPEB Trust Fund Balances:</u></b>		
	<b><u>Stab. Fund</u></b>	<b><u>OPEB Fund</u></b>
Actual Balance on 12/31/20:	1,889,419	1,152,894
Proposed Transfer From/To Fund:	<u>650,000</u>	<u>100,000</u>
Projected Post ATM Balance:	2,539,419	1,252,894

### EXPENSES

<u>ReCap Sheet Items:</u>		
State Assess: Tuition Assess (10.00%)	4,811,246	
State Assess: All Other (6.14%)	705,893	
Abatements / Overlay	550,000	
FY'21 Snow & Ice Deficit	0	6,067,139
 <u>Town Meeting Items:</u>		
Group Health Insurance (0.00%)	11,500,000	
County Retirement Assess. (22.32%)	4,611,333	
Property & Liability Insurance (7.50%)	1,343,750	
Medicare (4.00%)	703,040	
GF Sanitation Ent. Fund Approp.	60,500	
Unemployment Account	200,000	
OPEB Trust Fund	100,000	
Exempt Debt: GF Outside Prop. 2.5	2,730,529	
Non-Exempt Debt: GF Inside Prop. 2.5	1,274,880	
Borrowing Expenses	100,000	
Reserve Fund	500,000	
Capital Budget - ATM - Net	450,000	
Capital Budget - Fall STM Placeholder	500,000	
Transfer to Stabilization Fund	650,000	24,724,032
 <u>Operating Budgets:</u>		
School Budget: Local (3.00%)	28,832,706	
Ch. 70 (0.00%)	7,151,788	35,984,494
UCCRVTS Budget (13.94%)		2,433,216
General Gov't. Budget (3.00%)		<u>18,803,792</u>
 <b>Total Estimated Expenses</b>		 <b>88,012,673</b>
 <b>ESTIMATED FY'22 BUDGET BALANCE</b>		 <b>539,924</b>

## A GLOSSARY OF COMMONLY USED TERMS

**Appropriation** – An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited to a specific amount and identifies the timeframe when it will be expended.

**Assessed Valuation** – A valuation set upon real estate or other property by a government as a basis for levying taxes. Equalized assessed valuation refers to a municipality's assessed valuation, as determined by local assessors, adjusted by the State Department of Revenue to reflect a full and fair market value ("Equalized Valuation").

**Betterment** – An addition made to, or change made in, a fixed asset which is expected to prolong its life or to increase its efficiency. The term is also applied to sidewalks, water lines, and highways and the corresponding tax assessment abutters may authorize for repairs to their properties.

**Bond** – A written promise to pay a specified sum of money, called the face value (par value) or principal amount, at a specified date or dates in the future, called the maturity date(s) together with periodic interest at a specified rate. The difference between a note and a bond is that the latter runs for longer period of time and requires greater legal formality.

**Bond Anticipation Note (BAN)** – Short-term note of a government sold in anticipation of bond issuance. BANs are full faith and credit obligations.

**Bond Ratings** – Designations used by bond rating services to give relative indications of credit quality.

**Budget** – A plan of financial operations embodying an estimate of proposed expenditures for a given period and the proposed means of financing them.

**Budget Message** – Statement summarizing the plans and policies contained in the budget report, including an explanation of the principal budget items and recommendations regarding financial policy for the upcoming year.

**Capital Budget** – A plan for expenditure of public funds for capital purposes.

**Capital Expenditure** – Nonrecurring payments for capital improvements including construction, acquisition, site development and overhead costs. The fees for architects, engineers, lawyers, and other professional services plus the cost of financing may be included.

**Cherry Sheet** – An annual statement received by the Town from the Department of Revenue detailing estimated receipts for the next fiscal year from various state aid accounts, the lottery, and estimated charges payable in setting the tax rate.

Supplemental Cherry Sheets may be issued during the year and there is no guarantee that the estimated receipts and charges shown thereon will not vary from actual receipts and charges. The name was derived from the pink color of the document.

**Debt Service** – The cost (usually stated in annual terms) of the principal retirement and interest of any particular bond issue.

**Enterprise Fund** – Those funds which are established for specific uses under M.G.L. c.44, §53F1/2 that require an annual appropriation to operate (i.e. Sandwich Hollows Golf Club).

**Excess Levy Capacity** – The difference between a community's maximum tax levy limit as established by Proposition 2.5 and its actual tax levy in the most recent year for which the community has set a tax rate. It is the additional tax levy that a community can raise at Town Meeting without going to the voters for an override or debt exclusion.

**Exclusions (Debt Exclusion or Capital Expenditure Exclusion)** – Proposition 2.5 allows communities to raise funds for certain purposes above the amount of their levy limits or levy ceilings. Subject to voter approval, a community can assess taxes in excess of its levy limit for the payment of certain capital projects and for the payment of specified debt service costs. Such an exclusion increases the amount of property tax revenue a community may raise for a limited or temporary period of time in order to fund the specific project. Unlike overrides, exclusions do not increase the community's levy limit and do not become part of the base for calculating future years' levy limits. Capital expenditure exclusions last for one year while debt exclusions last for the bond term.

**Fiscal Year** – The state and municipalities operate on a fiscal year which begins on July 1 and ends on June 30. For example, the FY'17 fiscal year is from July 1, 2016 to June 30, 2017.

**Free Cash (Surplus Revenue)** – Free cash represents the portion of surplus revenue which the municipality is able to appropriate. It is money that the community raised to spend for a particular item but was left over because the full appropriation was not expended. From this surplus the municipality's liabilities are subtracted (i.e. any unpaid back taxes). The remainder, if any, is certified annually by the Department of Revenue as the community's free cash. Amounts from certified free cash may be appropriated at Town Meeting by the community for expenditures or to offset property taxes.

**General Fund** – The fund into which the general (non-earmarked) revenues of the municipality are deposited and from which money is appropriated to pay the general expenses of the municipality.

**Growth Revenue (New Growth)** – The amount of property tax revenue that a community can add to its allowable tax levy from taxes from new construction, alterations, subdivisions, or changes of use. It is computed by applying the prior year's tax rate to the increase in valuation.

**Note** – A short-term loan, typically of a year or less in maturity.

**Overlay** – The amount raised by the assessors in excess of appropriations and other charges for the purpose of creating a fund to cover abatements and state allowed exemptions.

**Overrides** – Proposition 2.5 allows a community to assess taxes in excess of the automatic annual 2.5% increase and any increase due to new growth by passing an override. A community can take this action as long as it is below its levy ceiling (2.5% of full and fair cash value of community). When an override is passed, the levy limit for the year is calculated by including the amount of the override. Unlike exclusions, the override results in a permanent increase in the levy limit of a community, which becomes part of the levy limit base and increases along with the base at the rate of 2.5% each year.

**Proposition 2.5** – M.G.L. c.59, §21C was enacted in 1980 and limits the amount of revenue a city or town may raise from local property taxes each year. This amount is the community's annual levy limit. The law allows the levy limit to increase each year by 2.5% plus any new growth revenue derived from taxes from new construction and alterations. This amount may not exceed the community's levy ceiling. Proposition 2.5 also established two types of voter approved increases in local taxing authority – overrides and exclusions.

**Receipts Reserved for Appropriation Account** – A special revenue account established by Town Meeting where receipts for a specific program or purpose are set aside in the fund. Expenditures from the account must be approved by Town Meeting.

**Reserve Fund** – A fund established by Town Meeting which is under the control of the Finance Committee and from which transfers may be made for extraordinary and unforeseen expenditures. The appropriation cannot be greater than 5% of the tax levy for the prior fiscal year.

**Revolving Funds** – Those funds which may be used without appropriation and which are established for particular uses under M.G.L. such as continuing education programs, school lunch programs, self-supporting recreation and park services, conservation services, etc. (i.e. Sandwich Marina, Sandwich Community School).

**Stabilization Fund** – A special reserve account which is invested until used. Towns may appropriate into this fund in any year an amount no more than 10% of the prior year's tax levy. The outstanding balance in the account cannot exceed 10% of the Town's equalized valuation. Generally, it takes a 2/3 vote of Town Meeting to appropriate money from the Stabilization Fund.

**Surplus Revenue** – See "Free Cash".

## TABLE OF BASIC POINTS OF MOTIONS

Rank	Type of Motion	2nd Req'd.	May Debate	May Amend	Vote Req'd.	May Recons.	May Interrupt
<b>MAIN MOTIONS</b>							
None	Main Motion	Yes	Yes	Yes	Varies	Yes	No
Same	Reconsider or Rescind	Yes	Same	No	Majority	No	No
None	Take from the Table	Yes	No	No	Majority	No	No
None	Advance an Article	Yes	Yes	Yes	Majority	Yes	No
<b>PRIVILEGED MOTIONS</b>							
1	Dissolve or Adjourn Adjourn to Fixed	Yes	No	No	Majority	No	No
2	Time/Recess	Yes	Yes	Yes	Majority	No	No
3	Point of No Quorum	No	No	No	None	No	No
4	Fix the Time to Adjourn	Yes	Yes	Yes	Majority	Yes	No
5	Question of Privilege	No	No	No	None	No	Yes
<b>SUBSIDIARY MOTIONS</b>							
6	Lay on the Table	Yes	No	No	2/3	Yes	No
7	The Previous Question	Yes	No	No	2/3	No	No
8	Limit or Extend Debate	Yes	No	No	2/3	Yes	No
9	Postpone to Time Certain	Yes	Yes	Yes	Majority	Yes	No
10	Commit or Refer	Yes	Yes	Yes	Majority	Yes	No
11	Amend (or Substitute)	Yes	Yes	Yes	Majority	Yes	No
12	Indefinitely Postpone	Yes	Yes	No	Majority	Yes	No
<b>INCIDENTAL MOTIONS</b>							
Same	Point of Order	No	No	No	None	No	Yes
Same	Appeal	Yes	Yes	No	Majority	Yes	No
Same	Division of a Question	Yes	Yes	Yes	Majority	No	No
Same	Separate Consideration	Yes	Yes	Yes	Majority	No	No
Same	Fix the Method of Voting	Yes	Yes	Yes	Majority	Yes	No
Same	Nominations to Committee	No	No	No	Plurality	No	No
Same	Withdraw or Modify Motion	No	No	No	Majority	No	No
Same	Suspension of Rules	Yes	No	No	2/3*	No	No

\* Unanimous if rule protects minorities; out of order if rule protects absentees

**Source:** Town Meeting Time, 3rd Edition